



Serial No.: 09/021,466  
Docket No.: 1177

\$2153

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s):	Oehrke, et al.	)	Examiner:	Kupstas, Tod
		)		
Serial No.:	09/021,466	)	Art Unit:	2153
		)		
Filing Date:	February 10, 1998	)		
		)		
Title:	SURVIVABLE AND SCALABLE	)		
	DATA SYSTEM AND METHOD	)		
	FOR COMPUTER NETWORKS	)		

**TRANSMITTAL LETTER**

BOX FEE  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Enclosed for filing with respect to the above-identified patent application are:

1) an Information Disclosure Statement and Form PTO/SB/08A (Substitute for Form 1449A-B/PTO; and 2) an Information Disclosure Statement for Unpublished Patent Applications. This information is being submitted after the mailing of a first Office Action on the merits, but before the mailing date of a Final Office Action under § 1.113 or a Notice of Allowance under § 1.311. Accordingly, enclosed is a check in the amount of \$180.00 to cover the fee set forth in § 1.17(p).

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.

**Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to BOX FEE, Commissioner for Patents, Washington, D.C. 20231 on:

Date: Sept. 5, 2001  
Signature: Madame Hancock

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.

Acknowledgment of receipt is respectfully requested.

Respectfully submitted,

By: Judith L. Carlson

Judith L. Carlson, Reg. No. 41,904  
STINSON, MAG & FIZZELL, P.C.  
1201 Walnut Street, Suite 2800  
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Attorney for Applicants



Serial No.: 09/021,466

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#10

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s): Oehrke, et al. ) Examiner: Kupstas, Tod  
Serial No.: 09/021,466 ) Art Unit: 2153  
Filing Date: February 10, 1998 )  
Title: SURVIVABLE AND SCALABLE )  
DATA SYSTEM AND METHOD )  
FOR COMPUTER NETWORKS )

**INFORMATION DISCLOSURE STATEMENT**

Box FEE  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In accordance with 37 C.F.R. §1.56, the references listed below and on the attached Form PTO/SB/08A (Substitute for Form 1449A-B/PTO) are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Copies of the cited documents are enclosed. Submission of these references is not an admission that the references constitute prior art.

**U.S. PATENTS**

<b><u>Patent No.</u></b>	<b><u>Inventor(s)</u></b>	<b><u>Issue Date</u></b>
6,208,986 B1	Schneck et al.	Mar. 27, 2001
6,202,093 B1	Bolam et al.	Mar. 13, 2001
6,199,082 B1	Ferrel et al.	Mar. 6, 2001

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Date: Sept 5 2001Signature: Nadine Henrich

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.

09/10/2001 HBERHE 00000017 09021466 180.00 0P  
01 FC:126

**U.S. PATENTS**

<b><u>Patent No.</u></b>	<b><u>Inventor(s)</u></b>	<b><u>Issue Date</u></b>
6,144,999	Khalidi et al.	Nov. 7, 2000
6,134,584	Chang et al.	Oct. 17, 2000
6,125,388	Reisman	Sep. 26, 2000
6,092,086	Martin et al.	Jul. 18, 2000
6,055,522	Krishna et al.	Apr. 25, 2000
6,026,433	D'Arlach et al.	Feb. 15, 2000
5,982,891	Ginter et al.	Nov. 9, 1999
5,974,563	Beeler, Jr.	Oct. 26, 1999
5,950,198	Falls et al.	Sep. 7, 1999
5,894,554	Lowery et al.	Apr. 13, 1999
5,870,558	Branton, Jr. et al.	Feb. 9, 1999
5,870,552	Dozier et al.	Feb. 9, 1999
5,867,667	Butman et al.	Feb. 2, 1999
5,794,253	Norin et al.	Aug. 11, 1998
5,781,912	Demers et al.	Jul 14, 1998
5,781,550	Templin et al.	Jul. 14, 1998
5,765,171	Gehani et al.	Jun. 9, 1998
5,745,753	Mosher, Jr.	Apr. 28, 1998
5,713,017	Lin et al.	Jan. 27, 1998
5,689,706	Rao et al.	Nov. 18, 1997
5,555,371	Duyanovich et al.	Sep. 10, 1996

**OTHER REFERENCES**

VERITAS SOFTWARE CORPORATION, "Veritas Storage Replicator for File Systems – White Paper," Veritas (February 2, 1998).

Rdist Man Page, [http://www.arachna.com/webserver/rdist\\_man.html](http://www.arachna.com/webserver/rdist_man.html) (No Date).

Getting Started with PC-Rdist, [www.pyzzo.com/pcrdist/lx/docs/start.shtml](http://www.pyzzo.com/pcrdist/lx/docs/start.shtml) (No Date).

The above listed references are, in the belief and opinion of the undersigned, the closest art of which the Applicants are aware as of the date of filing this Information Disclosure Statement.

Applicants respectfully request that these references be made of record in the above-identified application and considered by the Examiner during prosecution of the application.

It is respectfully submitted that the present invention as claimed is patentable over the listed references.

Respectfully submitted,

By: Judith L. Carlson

Judith L. Carlson, Reg. No. 41,904  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



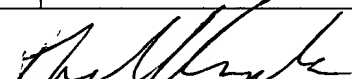
Inventor(s): Oehrke, et al. )  
Serial No.: 09/021,466 ) Examiner: Kupstas, Tod  
Filing Date: February 10, 1998 ) Art Unit: 2153  
Title: SURVIVABLE AND SCALABLE DATA )  
SYSTEM AND METHOD FOR COMPUTER )  
NETWORKS )

**INFORMATION DISCLOSURE STATEMENT FOR  
UNPUBLISHED PATENT APPLICATIONS**

Box FEE  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to MPEP 609(D), the Applicants respectfully request that the pending U.S. patent applications listed below be considered in the examination of the above-identified application on other than a Form PTO-1449 format to avoid the serial numbers of pending applications being published on any future patents. Copies of the cited documents are enclosed. Submission of these references is not an admission that the references constitute prior art.

Examiner's Initials	Name	Application No.	Filing Date
	Helmer, et al.	09/160,389	Sept. 25, 1998
	Schneebeli, et al.	09/160,424	Sept. 25, 1998
Examiner Signature	Date Considered		
	10/15/01		

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Box FEE, Commissioner for Patents, Washington, D.C. 20231 on:

Date: Sept. 5, 2001  
Signature: Hadine Hancock

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.

It is respectfully submitted that the present invention as claimed is patentable over  
the listed references.

Respectfully submitted,

By: Judith L. Carlson  
Judith L. Carlson, Reg. No. 41,904  
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